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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL C. DAVIS,

Plaintiff,

v.

BOSS/MASC, COMMISSIONER OF
SOCIAL SECURITY,

Defendants.

Case No. C 07-4524 JL

~~XXXXXX~~ **ORDER GRANTING
FEDERAL DEFENDANT'S MOTION TO
DISMISS**

This matter came before the Court on Wednesday, April 30, 2008 on Defendant Commissioner of Social Security Administration's motion to dismiss for lack of subject matter jurisdiction. The Court, having considered the pleadings and documents on filed and the arguments of the parties, and good cause appearing, finds that it lacks subject matter jurisdiction over plaintiff's complaint. Specifically, there is no initial determination or final agency action that is subject to judicial review under the Social Security Act, 42 U.S.C. §§ 401-03. This action is dismissed with prejudice.

IT IS SO ORDERED.

Dated: April 30, 2008


JAMES LARSON
U.S. DISTRICT COURT MAGISTRATE